

REMARKS

Reconsideration and allowance of the claims are requested in view of the above amendments and the following remarks. Claims 1, 17, 30, 41 and 42 have been amended. Support for the claim amendments may be found in the specification and claims as originally filed. For example, support for the claim amendments may be found in the specification at least at page 11, lines 11-15 and page 14, lines 11-15, and Figure 3. No new matter has been added.

Upon entry of this amendment, claims 1-8, 10-25, 27-39 and 41-47 will be pending in the present application, with claims 1, 17 and 30 being independent. Claims 9, 26 and 40 were previously cancelled without prejudice or disclaimer.

1. Specification

As requested by the Office Action on page 2, the abstract has been amended to not exceed 150 words in length.

2. Claim Objections

The Office Action objects to claims 41 and 42 due to informalities. Claims 41 and 42 have been amended to depend from independent claim 30, thereby correcting a typographical error in these claims.

Reconsideration and withdrawal of the objection to claims 41 and 42 are respectfully requested.

3. Rejections Under 35 U.S.C. §103

A. Obviousness in view of Emmelman and Pacifici et al.

The Office Action rejects claims 1-7, 10-19, 21-25, 27-39 and 41-47 under 35 U.S.C. §103(a) as being unpatentable over Emmelmann (U.S. Patent Application Publication No.

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2003/0074634) in view of Pacifici et al. (U.S. Patent 6,230,171). Applicants respectfully traverse this rejection for at least the following reasons.

Emmelmann discloses creating server side internet applications by placing interactive server side components (ISSC's) on internet pages. The ISSC's encapsulate dynamic page functions including processing of user responses on the server and thus can be reused, which drastically reduces programming efforts (see abstract).

The Office Action on page 4 asserts that Emmelmann discloses encapsulating code in an external component that may affect a behavior of one or more elements (citing the abstract and paragraphs 0025, 0094 and 0395; “e.g., ISSC's encapsulate dynamic page functions including processing of user responses on the server and thus can be reused”). Additionally, the Office Action asserts that Emmelmann discloses inserting an element into a document (citing paragraphs 0068, 0073 and 0091; “inserts the new component into the current page”). Applicants disagree.

Claim 17 of the present application has been amended to recite:

encapsulating code in an external component that is external to the document that may affect a behavior of one or more elements contained in the document, including elements of different documents;

inserting an element into the document; (emphasis added)

The term “component” used in Emmelmann refers to an interactive server side component (ISSC), and these terms are used interchangeably throughout Emmelmann (e.g., see paragraph 0065, which begins an overview of the terminology used in the Detailed Description of the Invention). Based on the sections of Emmelmann cited by the Office Action, and other portions therein, it appears that the Office Action is interpreting both of the terms “external component” and “element” recited in claim 17 as an ISSC. However, as made clear by the amendments to claim 17, which have been added for the sake of clarity, the terms “external component” and “element” recited in claim 17 refer to completely distinct entities with different functions. For

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example, external components are external to the document, while an element is contained in the document. Therefore, since the Office Action equates both of the terms “external component” and “element” recited in claim 17 with the ISSC disclosed in Emmelmann, the Office Action fails to show how Emmelmann teaches or suggests both of the distinct entities “external component” and “element”, as included in claim 17.

The Office Action on page 4 asserts that Emmelmann discloses attaching a reference in the document to associate the element with an instance of the external component (citing paragraphs 0072-0073, 0075, 0085, 0087, 0090-0091 and 0174). Applicants disagree.

Claim 17 of the present application recites:

inserting an element into the document;
attaching a reference in the document to associate the element with an instance of the external component, (emphasis added)

In the above section of claim 17, the highlighted terms “reference”, “element” and “external component” refer to three distinct entities with different functions. Emmelman discloses ISSC’s as well as component tags that can be placed on a page in order to add ISSC’s to the page (see paragraphs 0068 and 0072). However, Emmelmann, at the sections cited by the Office Action or elsewhere, fails to disclose or suggest that the component tag associates an element contained in a document with an instance of the ISSC. Additionally, the Office Action on page 4 asserts that Emmelmann discloses inserting an element into a document by citing paragraphs 0304-0305, which disclose that it is possible to embed javascript code in an HTML page. Based on this section of Emmelmann cited by the Office Action, it appears that the Office Action is interpreting the term “element” recited in claim 17 as embedded javascript. However, there is no teaching or suggestion in Emmelmann of a reference or tag associating the embedded javascript with an instance of the ISSC. Therefore, Emmelman fails to disclose or suggest “attaching a reference in the document to associate the element with an instance of the external component”, as included in claim 17.

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The Office Action on page 5 asserts that Emmelman discloses wherein the renderer is capable of instantiating the external component, associating an interface of the instance of the external component with the element, and displaying the rendered document (citing paragraph 0236). Applicants disagree.

Claim 17 of the present application has been amended to recite:

attaching a reference in the document to associate the element with an instance of the external component . . . and wherein code is not included in the document; and
providing the document to a renderer, wherein the renderer is capable of instantiating the external component, associating an interface of the instance of the external component with the element, and displaying the rendered document. (emphasis added)

As discussed above, the Office Action interprets both of the terms “external component” and “element” recited in claim 17 as an ISSC. However, the terms “external component” and “element” recited in claim 17 refer to completely distinct entities. Therefore, since the Office Action equates both of the terms “external component” and “element” recited in claim 17 with the ISSC disclosed in Emmelmann, the Office Action fails to show how Emmelmann teaches or suggests both of the distinct entities “external component” and “element”, as included in claim 17. For at least this reason, the Office Action also fails to show how Emmelmann teaches or suggests associating an interface of the instance of the external component with the element, as included in claim 17.

Furthermore, Emmelmann discloses a component editor that introduces a new architecture and various algorithms for WYSIWYG editors in a browser based environment. The basic idea is to insert scripts into pages so that they can be edited inside the browser (see paragraph 0193). In the section cited by the Office Action, Emmelmann discloses a data structure used by the component editor that is created by embedding a script in the page (see paragraphs 0235-0237). This is in stark contrast to claim 17, which recites that “code is not included in the document”. Therefore, the sections of Emmelmann cited by the Office Action

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disclosing the component editor actually teach away from claim 17.

The Office Action on page 5 concedes that Emmelmann does not explicitly teach “the external component is maintained in a cascading style sheet”, and the applicants agree. However, the Office Action asserts that “Pacifici teaches the external component is maintained in a cascading style sheet at col. 6, lines 20-22 and col. 9, lines 55-67.” The Office Action cites Pacifici et al. only to address this claim limitation.

Applicants note that claim 17 recites that the reference associating the element with the external component is maintained in a cascading style sheet, and not that the external component is maintained in a cascading style sheet, as asserted by the Office Action. The cited sections of Pacifici et al. do not teach “the reference associating the element with the external component is maintained in a cascading style sheet”, as included in claim 17. In contrast, Pacifici et al. teaches the standard industry definition of a cascading style sheet, which fixes basic appearance parameters such as font sizes and type faces (see col. 9, lines 55-66). The cited sections of Pacifici et al. do not recite that the reference associating an element with the external component is maintained in a cascading style sheet.

Regardless, even if Pacifici et al. were to teach “the reference associating the element with the external component is maintained in a cascading style sheet”, which it does not, there is no suggestion or motivation, either in Emmelmann or Pacifici et al. themselves, or in the knowledge generally available to one of ordinary skill in the art, to modify Emmelmann in view of Pacifici et al., or to combine Emmelmann and Pacifici et al.

More particularly, the Office Action asserts that the motivation to include the feature from Pacifici et al. in the system of Emmelmann is because the combination “would have provided the capability for forcing all such environment parameters such as font sizes, font typefaces, margin widths, and any other similar parameters that may affect the appearance of the HTML document”. However, HTML provides a set of parameters for affecting the appearance of the HTML document. The Examiner is respectfully requested to review the HTML

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specification available from the World Wide Web Consortium (W3C), which is also in the knowledge generally available to one of ordinary skill in the art. The HTML specification discloses that HTML elements may include a “style” attribute which may further include parameters to affect the appearance of the HTML element. For example, a DIV HTML element may appear as follows: <DIV style=”color:red; font-style: italic; font-family:Arial”>.

Therefore, as HTML already provides the stated functionality of Pacifici et al., there is no motivation to include the feature from Pacifici et al. in the system of Emmelmann. Furthermore, Emmelmann does not offer any suggestion or motivation that it is deficient in affecting the appearance of an HTML document, and this is to be expected as Emmelmann has available all of the necessary functionality to control the appearance of an HTML document.

For at least the above reasons, since the Office Action fails to show that Emmelmann, alone or in combination with Pacifici et al., discloses or suggests all of the limitations of claim 17, the Office Action fails to establish a prima facie case of obviousness. Therefore, claim 17 is allowable. As claims 1 and 30 were rejected under the same rationale as claim 17, claims 1 and 30 are also patentably distinct over the cited references for at least the reasons set forth above with respect to claim 17.

Claims 2-7 and 10-16 depend from claim 1. Claims 18-19, 21-25 and 27-29 depend from claim 17. Claims 31-39 and 41-47 depend from claim 30. As discussed above, claims 1, 17 and 30 are allowable. For at least this reason, and the features recited therein, claims 2-7, 10-16, 18-19, 21-25, 27-29, 31-39 and 41-47 are also allowable.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-7, 10-19, 21-25, 27-39 and 41-47 under 35 U.S.C. §103(a) are respectfully requested.

B. Obviousness in view of Emmelman, Pacifici et al. and Kindel

The Office Action rejects claims 8 and 20 under 35 U.S.C. §103(a) as being unpatentable over Emmelmann in view of Pacifici et al. and further in view of Kindel (COM: What Makes it

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Work). Applicants respectfully traverse this rejection for at least the following reasons.

As discussed above, Emmelmann and Pacifici et al. fail to disclose, or even suggest, each and every element of independent claims 1 and 17. Kindel fails to cure this defect in Emmelmann and Pacifici et al.

The Office Action cites Kindel only to address the limitations specifically recited in dependent claims 8 and 20. However, Kindel fails to disclose or suggest the limitations of independent claims 1 and 17 as discussed above. Therefore, since Emmelmann, Pacifici et al. and Kindel, alone or in combination, fail to disclose or suggest all of the elements of claims 1 and 17, these claims are allowable.

Claim 8 depends from claim 1. Claim 20 depends from claim 17. As discussed above, claims 1 and 17 are allowable. For at least this reason, and the additional features recited therein, claims 8 and 20 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 8 and 20 under 35 U.S.C. §103(a) are respectfully requested.

4. Conclusion

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the present application is requested. Based on the foregoing, applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the applicants' attorney at the telephone number listed below.


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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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